

REMARKS

Introduction

Applicant received an Office Action mailed on April 28, 2003 ("Office Action"), in connection with the above-identified patent application. A response to the Office Action was due on July 28, 2003. Accordingly, this Amendment is being filed concurrently with a petition for extension of time.

Claims 40-48 and 50-87 were pending in the application. Claims 74-87 were withdrawn by the Examiner. Claims 47, 48, 57, 58, 61, 64, 68 and 69 stand rejected. Claims 40-46, 50-56, 59, 60, 62, 63, 65-57 and 70-73 have been allowed. By this Amendment, for the purpose of expediting prosecution, but in no way conceding the correctness of any of the rejections, applicant has canceled all of the rejected and withdrawn claims, claims 47, 48, 57, 58, 61, 64, 68, 69 and 74-87, without prejudice. Accordingly, allowed claims 40-46, 50-56, 59, 60, 62, 63, 65-57 and 70-73 are presently in the application. Claims 40, 44, 50, 53 and 56 are independent.

The Rejections Under 35 USC § 102

In the Office Action, claims 47 and 48 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,872,072 to Mouri et al. ("Mouri").

By this Amendment, for the purpose of expediting prosecution, but in no way conceding the correctness of the rejections, applicant has canceled claims 47 and 48 without prejudice. Accordingly, applicant respectfully submits that the rejections to claims 47 and 48 under 35 U.S.C. §102(e) have been obviated and applicant respectfully requests withdrawal of those rejections.



Appl. No. 09/763,394
Amendment dated August 28, 2003
Reply to Office Action of April 28, 2003

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The Rejections
Under 35 USC § 103(a)

Claims 57, 58, 61, 64, 68 and 69 stand rejected under 35 U.S.C. §103(a) as being unpatentable over a proposed hypothetical combination of Mouri and U.S. Patent No. 5,989,648 to Phillips ("Phillips").

By this Amendment, for the purpose of expediting prosecution, but in no way conceding the correctness of the rejections, applicant has canceled claims 57, 58, 61, 64, 68 and 69 without prejudice. Accordingly, applicant respectfully submits that the rejections to claims 57, 58, 61, 64, 68 and 69 under 35 U.S.C. §103(a) have been obviated and applicant respectfully requests withdrawal of those rejections.

Conclusion

Applicant thus believes that all of the claims pending in the present application (i.e., claims 40-46, 50-56, 59, 60, 62, 63, 65-57 and 70-73) are in condition for allowance.

Any additional fees or charges required at this time in connection with the present application are hereby authorized to be charged to Deposit Account No. 19-4709.

Respectfully submitted,

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